

REMARKS

I. Amendment

By this amendment, claims 1 and 22 have been modified. This amendment adds no new matter to the specification. Support for the modification to claim 1 may be found at page 35, lines 19-20 *inter alia*.

No amendment of inventorship is necessitated by this amendment.

II. Discussion of the Rejection under 35 U.S.C. Sec. 103(a) over Lundberg

Claims 1-3, 5, 7, 9, 11-19, 21-24, 29, 31, 50 and 51 stand rejected under 35 U.S.C. Sec. 103(a) as allegedly unpatentable over Lundberg (U.S. Patent No. 6,132,770). Applicants respectfully traverse the rejection.

By this amendment, Applicants have modified claim 1 to recite that the oral disintegration time claimed is the time for complete disintegration. This amendment adds no new matter to the specification, as support for the amendment may be found at page 35, lines 19-20 *inter alia*. The Examiner has maintained that since the art teaches effervescent tablets which can dissolve somewhat in the oral cavity, that the Applicants' invention of orally disintegrable tablets is rendered obvious. Applicants heartily disagree, and have tried for several years to educate the Examiner as to the differences between orally disintegrable tablets and effervescent tablets. The plain fact is that effervescent tablets are *not* designed to dissolve in the oral cavity, and cannot comfortably be completely dissolved in that cavity. Applicants' previously submitted Declaration proves this point, a point which those skilled in the art are well aware of. Applicants submit that independent claim 1 as amended is not rendered obvious by the teaching of the cited art.

Claims 2, 3, 5, 7, 9, 11-19, 21-24, 29, 31, 50 and 51 depend upon claim 1. Applicants assert that the more specific dependent claims are also not rendered obvious by the teaching of the cited art for the reasons provided above.

Therefore Applicants respectfully request withdrawal of the rejection under 35 U.S.C. Sec. 103(a) over Lundberg.

III. Discussion of the Rejection under 35 U.S.C. Sec. 103(a) over Lundberg in view of Watanabe *et al.*

Claims 1-3, 5, 7, 9, 11-19, 21-24, 29, 31, 50 and 51 stand rejected as being unpatentable over Lundberg (U.S. Patent No. 6,132,770), in view of Watanabe *et al.*, (Biol. Pharm. Bull. 1995 article). Applicants respectfully traverse the rejection.

By this amendment, Applicants have modified claim 1 to recite that the oral disintegration time claimed is the time for complete disintegration. This amendment adds no new matter to the specification, as support for the amendment may be found at page 35, lines 19-20 *inter alia*. The Examiner has maintained that since the art teaches effervescent tablets which can dissolve somewhat in the oral cavity, that the Applicants' invention of orally disintegrable tablets is rendered obvious. Applicants heartily disagree, and have tried for several years to educate the Examiner as to the differences between orally disintegrable tablets and effervescent tablets. The plain fact is that effervescent tablets are *not* designed to dissolve in the oral cavity, and cannot comfortably be completely dissolved in that cavity. Applicants' previously submitted Declaration proves this point, a point which those skilled in the art are well aware of. Applicants submit that independent claim 1 as amended is not rendered obvious by the combined teachings of the cited art.

Claims 2, 3, 5, 7, 9, 11-19, 21-24, 29, 31, 50 and 51 depend upon claim 1. Applicants assert that the more specific dependent claims are also not rendered obvious by the combined teachings of the cited art for the reasons provided above.

Therefore Applicants respectfully request withdrawal of the 35 U.S.C. Sec. 103(a) over Lundberg in view of Watanabe *et al.*

IV. Conclusion

Reconsideration and allowance of the pending claims is requested in light of the amendments and remarks provided above. Should the Examiner believe that a conference with Applicants' attorney would advance prosecution of this application, she is respectfully requested to call Applicants' attorney at (847) 383-3391.

Respectfully submitted,

Dated: May 19, 2006

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